

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA,)
v.) No. 4:09-cr-05-HSM-SKL-09
BRIAN STEPHENS)

MEMORANDUM AND ORDER

BRIAN STEPHENS (“Defendant”) appeared for a hearing on September 23, 2016, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision (“Petition”).

Defendant was placed under oath and informed of his constitutional rights. It was determined that Defendant wished to be represented by an attorney and he qualified for appointed counsel. Federal Defender Services of Eastern Tennessee was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Defendant be detained without bail pending his revocation hearing before U.S. District Judge Mattice. Defendant waived his right to a preliminary hearing, but asked for a detention hearing and time to prepare for same. The detention hearing is set to take place on **September 27, 2016 at 2:00 p.m.** before the undersigned.

Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.

Accordingly, it is **ORDERED** that:

- (1) Defendant shall appear for a revocation hearing before U.S. District Judge Mattice.
- (2) The Government's motion to temporarily detain Defendant is **GRANTED** and Defendant shall be **DETAINED WITHOUT BAIL** pending his detention hearing set **September 27, 2016 at 2:00 p.m.** before the undersigned. Defendant shall be held in the custody by the United States Marshal and produced for the detention hearing.
- (3) A revocation hearing is set before **District Judge Mattice on October 17, 2016 at 9:00 a.m.**

SO ORDERED.

ENTER.

S/ Susan K. See

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE